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E.O. 12958: N/A  
TAGS: [EWWT](#) [MARR](#) [PGOV](#) [PHSA](#) [PHUM](#) [PREL](#) [SO](#)  
SUBJECT: ACTION REQUEST: MOVING BEYOND MEMBERSHIP IN THE  
CONTACT GROUP FOR PIRACY OFF THE COAST OF SOMALIA

REF: STATE 66632

[1](#)1. This is an action request. See paragraph 6.

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OBJECTIVE  
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[1](#)2. Post,s objective is to inform participants in the  
Contact Group for Piracy off the Coast of Somalia (CGPCS) of  
USG views and intentions articulated in paragraph 6 with  
regard to expanding participation in the CGPCS.  
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## REPORTING

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¶3. Posts are requested to report only unfavorable reactions by host governments, and should address questions related to the intent or scope of this formulation, to PM/PPA Donna Hopkins (hopkinsdl@state.sgov.gov and David Foran(forandm@state.sgov.gov ). The USG position articulated in this demarche is informed by posts, responses to reftel, which sought other CGPCS participant nations, views on expanding participation in the CGPCS.

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## BACKGROUND

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¶4. In New York City on January 14, 2009, representatives of 28 countries and six international organizations agreed to form the Contact Group for Piracy off the Coast of Somalia. The inaugural communique stated that "The CGPCS offers participation to any nation or international organization making a tangible contribution to the counter-piracy effort, or any country significantly affected by piracy off the coast of Somalia." No process or mechanism was agreed upon by which aspirant countries might seek to participate in CGPCS plenary and working group meetings. The lack of an agreed accession process has forestalled the subsequent inclusion of several other countries that clearly meet the criteria for participation. In addition, developments subsequent to the January 14 plenary have clearly shown that tangible contributions are not limited to the provision of military forces to the counter-piracy effort, and the May 29 plenary communique explicitly acknowledged that "the CGPCS is a group of countries and organizations with a common interest in eliminating the scourge of piracy from the Gulf of Aden and Somali Basin. Different countries will choose to contribute to efforts to eliminate piracy in different ways. Some might be able to contribute naval assets to patrol in the region; others might prosecute suspected pirates in their national courts, while still others might choose to contribute to the anti-piracy international trust fund or assist with capacity building efforts in the region. Since all countries bear the burden of piracy, the Contact Group encourages all countries to participate through material contributions in any way that they can."

¶5. The United States believes that participation by any country or international organization desiring to participate and able to contribute in any tangible way to the international effort to combat piracy is a net gain for our collective efforts, and that the CGPCS deliberations should not be impeded by unrelated political issues. Unfortunately, Turkey objected to membership for the Republic of Cyprus, and Greece objected to the admission of any new member unless Cyprus were allowed to participate. USG discussions with the governments of Turkey and Greece indicate that the most efficacious solution to this impasse is to open participation in the Contact Group to any UN member nation.

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## USG POSITION

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¶6. Posts are requested to deliver the following message to host governments.

The United States explicitly desires to move from the concept of "membership" in the CGPCS to one of "participation." Therefore, the United States wishes to make known our intent to open all CGPCS fora chaired by the United States to any UN member state wishing to participate, with an important caveat. It would be inappropriate to engage in CGPCS fora with any nation subject to country-specific measures imposed by the United Nations Security Council (UNSC) for maritime-related misconduct (smuggling, trafficking, piracy or related crimes) or subject to UNSC resolutions authorizing inspection of maritime cargo related to proliferation activities or other criminal activity. Iran, North Korea, and Somalia are currently subject to such sanctions; however, the United States will continue to encourage the

participation of Somalia, which is both the primary source and a major victim of piracy in the region, and whose inclusion in the CGPCS is critical to the efforts of the CGPCS to combat piracy in the region. While the United States recognizes that other chairs may not agree with this approach, we will continue to advocate to other chairs for participation by any country that meets the above criteria. We anticipate that Japan, which will chair the fourth CGPCS plenary in New York City on September 10, will apply the same criteria.

CLINTON